

REMARKS

Claims 1-28 are pending in this application. By this Amendment, claims 1, 2, 4-8, 10-13, and 15-28 and the specification are amended. Support for the amendments to the claims may be found, for example, in the original claims and the specification as filed at page 5, lines 20-26. No new matter is added.

I. Claim Objections

The Office Action objects to the specification and Abstract because of various informalities based on grammatical errors and existing section headings. By this Amendment, various grammatical mistakes and section headers in the specification and the Abstract are amended. Applicants respectfully note that, to the extent the section headers of the present application do not exactly match those as shown in 37 CFR 1.77(b), the section headers shown therein are optional suggestions, not legal requirements.

Accordingly, reconsideration and withdrawal of the objections are respectfully requested.

II. Rejection under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 24, 27 and 28 under 35 U.S.C. §112, second paragraph for allegedly being indefinite. Without admitting the propriety of the rejection, claim 24 is amended to obviate the rejection.

Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

III. Rejections under 35 U.S.C. §103(a)

A. Joachimi and Baumann

The Office Action rejects claim 1 under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2003/0125429 to Joachimi et al. (hereinafter "Joachimi") in view of U.S. Patent No. 7,148,286 to Baumann et al. (hereinafter "Baumann"). Applicants respectfully traverse the rejection.

First, Bauman is not available as prior art against the instant claims. The present application claims priority benefit of JP 2003-303633, filed August 27, 2003. Submitted herewith is, upon information and belief, an accurate translation of JP 2003-303633. As is evident from the translation of JP 2003-303633 attached hereto, the pending claims are fully supported by JP 2003-303633. Accordingly, the pending claims are entitled to the benefit of the August 27, 2003 filing date of JP 2003-303633.

Next, without conceding the propriety of the rejection, claim 1 is amended to recite, "surfaces of the titanium oxide particles are treated with a surface treatment agent selected from the group consisting of aluminum, alumina, aluminum-silicon, aluminum laurate, and aluminum stearate." Despite their asserted disclosures, Baumann is not available to teach and Joachimi fails to teach or suggest this feature.

For at least the reasons presented above, Baumann is not available to teach and Joachimi does not teach or suggest each and every feature of claim 1 and, thus, would not have rendered obvious claim 1. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

B. Joachimi and Aylward

The Office Action rejects claims 1-23, 25 and 26 under 35 U.S.C. §103(a) over Joachimi in view of U.S. Patent No. 5,998,119 to Aylward et al. (hereinafter "Aylward"). Applicants respectfully traverse the rejection.

Independent claim 1 is amended as set forth and discussed above. Similarly, independent claims 7 and 15 are amended to also require that "surfaces of the titanium oxide particles are treated with a surface treatment agent selected from the group consisting of aluminum, alumina, aluminum-silicon, aluminum laurate, and aluminum stearate."

For at least the reasons discussed above, Joachimi fails to teach each and every feature of claim 1 as amended. Likewise, Joachimi fails to teach each and every feature of

amended claims 7 and 15. Despite its asserted teachings, Aylward does not cure all the deficiencies of Joachimi with respect to claims 1, 7, and 15. Therefore, Joachimi and Aylward, considered either separately or in combination, fail to teach each and every feature of claims 1, 7, and 15 and, thus, would not have rendered obvious the subject matter of claims 1, 7, and 15.

For at least the reasons discussed above, claims 1, 7, and 15, would not have been rendered obvious by Joachimi and Aylward. Claims 2-6, 8-14, 16-23, 25, and 26 variously depend from claims 1, 7, and 15 and, thus, also would not have been rendered obvious by Joachimi and Aylward. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

C. Joachimi, Baumann, and Savitski

The Office Action rejects claims 24, 27, and 28 under 35 U.S.C. §103(a) over Joachimi in view of Baumann and in further view of U.S. Patent No. 6,596,122 to Savitski et al. (hereinafter "Savitski"). Applicants respectfully traverse the rejection.

For at least the reasons discussed above, Joachimi fails to teach each and every feature of claim 15 and Baumann is not available to teach each and every feature of claim 15. Despite its asserted teachings, Savitski does not cure the deficiencies of Joachimi and Baumann with respect to claim 15. Therefore, Joachimi, Baumann, and Savitski, considered either separately or in combination, fail to teach each and every feature of claim 15.

Claim 15 would not have been rendered obvious by Joachimi, Baumann, and Savitski. Claims 24, 27, and 28 variously depend from claim 15 and, thus, also would not have been rendered obvious by Joachimi, Baumann, and Savitski. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

English-Language Translation of JP 2003-303638
Amended Abstract

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